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REQUEST FOR

CONTINUED EXAMINATION (RCE)

TRANSMITTAL

Commissioner of Patents  
Box RCE  
Washington, D.C. 20231

Application No	09/537,088
Filing Date:	March 29, 2000
Title:	NOVEL INCLUSION COMPLEXES OF A HIGH POTENT OPIOID PEPTIDE, PHARMACEUTICAL COMPOSITIONS AND METHOD OF TREATMENT
Inventors:	DWIVEDI et al.
Group Art Unit:	1654
Examiner:	J. Russel
Atty Docket No:	82239

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application and Provisional Application Practice, Final Rule 65 Fed.Reg. 50092 9Aug. 16, 2000; Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off.Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.1. Submission required under 37 C.F.F. § 1.114

- a.       Previously submitted
1.            Consider the amendments(s)/reply under 37 C.F.R.§  
        1.116 previously filed on \_\_\_\_\_.
- ii.     Consider the arguments in the Appeal Brief or  
            Reply Brief previously filed on \_\_\_\_\_.
2.            Other \_\_\_\_\_.
2.   X   Enclosed
1.   X   Amendment/Reply
2.        Affidavit(s)/Declaration(s)
3.        Information Disclosure Statement (IDS)
4.        Other \_\_\_\_\_.

## 2. Miscellaneous

- a. \_\_\_\_\_ Suspension of action on the above-identified application  
is requested under 37 C.F.R. § 1.103(c) for a period of  
\_\_\_\_\_ months. (Period of suspension shall not exceed 3 months;  
Fee under 37 C.F.R. § 1.17(i) **required**)
- b. \_\_\_\_\_ Other \_\_\_\_\_.

### 3. Fees

(The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)

1.   X   The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Acct. No. 14-0112
- i.   X   RCE fee of \$ 770.00 required under 37 C.F.R. § 1.17 (e) is enclosed.
- ii.   X   Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii.        Other

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

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November 4, 2003  
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HLN/JBG (RCE)



BOX PATENT  
Attorney Docket No. 82239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit: 1654
	)	
DWIVEDI et al.	)	Examiner: J. RUSSEL
	)	
Serial No. 09/537,088	)	
	)	
Filed: March 29, 2000	)	

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For: **NOVEL INCLUSION COMPLEXES OF A HIGH POTENT OPIOID PEPTIDE,  
PHARMACEUTICAL COMPOSITIONS AND METHOD OF TREATMENT**

RESPONSE TO ADVISORY ACTION

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Advisory Action having a mailing date of August 19, 2003 issued in reply to the Response to Final Office Action and Notice of Appeal filed August 4, 2003. Accordingly, the two-month period for filing an Appeal Brief or Request for Continued Examination (RCE) after submission of the Notice of Appeal expired on October 4, 2003. A petition for a one-month extension of time and a check are filed herewith extending the period for response to November 4, 2003. Accordingly, this Response and accompanying RCE are timely filed.

In view of the following amendments and remarks, applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections and allow all claims pending in this application.